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## Table of Contents.

Government Notices.	PAGE.
<b>PROVINCIAL SECRETARY'S DEPARTMENT.</b>	
Courts (Colonial) Jurisdiction Act.....	234
Indian Liquor Act.....	231
Proclamation of Governor-General respecting Indians .....	237
Cruelty to Animals Act .....	237
Notice of Courts of Assize at Yale and New Westminster ...	225
<b>LANDS AND WORKS DEPARTMENT.</b>	
Boundaries of Land Recording Districts.....	235
Inviting Tenders for Approach Courtenay River Bridge.....	237
Inviting Tenders for Approach Comox Wharf.....	237
Notice respecting the subdivision of Townships 1 and 2 New Westminster District.....	237
<b>LEGISLATIVE ASSEMBLY.</b>	
Private Bills .....	237
<b>Proclamations.</b>	
Proroguing Legislative Assembly .....	231
Assenting to "Land Act, 1874." .....	235
<b>Miscellaneous Notices.</b>	
Bankruptcy Notice—William Forrest .....	238
Estate of James C. Hoagland, deceased .....	238
Estate of Allen D. Grant, deceased .....	238
Estate of John S. Trook, deceased.....	238
Intended application for an "Act to Incorporate the British Columbia Protestant Orphans' Home Association" .....	238
Intended application for a Crown Grant by the "Victoria Silver Mining Company (Limited)" .....	238
Laying over Claims in Cassiar District.....	238

## Proclamations.

[L. S.] JOSEPH W. TRUTCH.  
CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To Our faithful the Members elected to serve in the Legislative Assembly of Our Province of British Columbia, and summoned and called to a meeting of the Legislature or Parliament of Our said Province, at Our City of Victoria, on Wednesday, the Ninth day of September, next, to have been commenced and held, and every of you—GREETING.

A PROCLAMATION.

GEO. A. WALKER, } **WHEREAS** the meeting of the  
Attorney-General. } Legislature or Parliament  
of the Province of British Columbia, stands called for  
Wednesday, the Ninth day of September next, at  
which time at Our City of Victoria, you were held and  
constrained to appear.

NOW KNOW YE that for divers causes and considerations, and taking into consideration the ease and convenience of Our loving subjects, We have thought fit, by and with the advice of Our Executive Council of the Province of British Columbia, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on Thursday, the Twelfth day of the Month of November, you meet Us in Our said Legislature or Parliament, of Our said Province, at Our City of Victoria, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, We have caused these  
Our Letters to be made Patent, and the

Great Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Fourteenth day of August, in the year of Our Lord One thousand eight hundred and seventy-four, and in the thirty-eighth year Our Reign.

By Command.

HENRY S. MASON,  
Deputy Registrar Supreme Court.

PROVINCIAL SECRETARY'S OFFICE,  
28th July, 1874.

**T**HE following Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians to the Provinces of Manitoba and British Columbia, is hereby published for general information.

JOHN ASH,  
Provincial Secretary.

## CHAP. 21.

An Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians to the Provinces of Manitoba and British Columbia.

**H**ER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The twelfth section of the Act thirty-first Victoria, chapter forty-two, intituled "An Act providing for the Department of the Secretary of State of Canada, and for the management of Indian and Ordnance Lands," and the third section of the Act thirty-second and thirty-third Victoria, chapter six, intituled "An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act thirty-first Victoria, chapter forty-two," are hereby repealed, and the following shall be read in lieu of the last mentioned section:—

"3. 1. Whoever sells, exchanges with, barter, supplies, or gives to any Indian man, woman, or child in Canada, any kind of intoxicating liquor, or causes or procures the same to be done, or connives or attempts thereat, or opens or keeps, or causes to be opened or kept on any land set apart or reserved for Indians, a tavern, house, or building where intoxicating liquor is sold, bartered, exchanged, or given, or is found in possession of intoxicating liquor in the house, tent, wigwam, or place of abode of any Indian, shall, on conviction thereof before any Justice of the Peace upon the evidence of one credible witness other than the informer or prosecutor, be liable to imprisonment for a period not exceeding two years, and be fined not more than five hundred dollars, one moiety to go to the informer or prosecutor, and the other moiety to Her Majesty, to form part of the fund for the benefit of that tribe or body of Indians with respect to one or more members of which the offence was committed; and the commander or person in charge of any steamer or other vessel, or boat, from or on board of which any intoxicating liquor shall



have been sold, bartered, exchanged, supplied, or given to any Indian man, woman, or child, shall be liable, on conviction thereof before any Justice of the Peace, upon the evidence of one credible witness other than the informer or prosecutor, to be fined not exceeding five hundred dollars for each such offence, the moiety thereof to be applicable as hereinbefore mentioned, and in default of immediate payment of such fine, any person so fined may be committed to any common gaol, house of correction, lock-up, or other place of confinement by the Justice of the Peace before whom the conviction shall take place, for a period of not more than twelve months, or until such fine shall be paid; and in all cases arising under this section, Indians shall be competent witnesses: but no penalty shall be incurred in case of sickness where any intoxicating liquor is made use of under the sanction of any medical man or under the directions of a minister of religion."

"2. The keg, barrel, case, box, package, or receptacle whence intoxicating liquor has been sold, exchanged, bartered, supplied, or given, and as well that in which the original supply was contained as the vessel wherein any portion of such original supply was supplied as aforesaid, and the balance of the contents thereof, if such barrel, keg, case, box, package, receptacle, or vessel aforesaid respectively, can be identified, and any intoxicating liquor imported or manufactured or brought into and upon any land set apart or reserved for Indians, or into the house, tent, wigwam, or place of abode of any Indian, may be seized by any constable wheresoever found on such land; and on complaint before any Judge, Stipendiary Magistrate, or Justice of the Peace, he may on the evidence of any credible witness, that this Act has been contravened in respect thereof, declare the same forfeited, and cause the same to be forthwith destroyed; and the person in whose possession they were found may be condemned to pay a penalty not exceeding one hundred dollars, nor less than fifty dollars, and the costs of prosecution; and one-half of such penalty shall belong to the prosecutor, and the other half to Her Majesty for the purposes hereinbefore mentioned, and in default of immediate payment the offender may be committed to any common gaol, house of correction, lock-up, or other place of confinement for any time not exceeding six months, unless such fine and costs are sooner paid."

"3. When it shall be proved before any Judge, Stipendiary Magistrate or Justice of the Peace that any vessel, boat, canoe, or conveyance of any description upon the sea or sea-coast, or upon any river, lake, or stream in Canada, is employed in carrying intoxicating liquor, to be supplied to any Indian or Indians, such vessel, boat, canoe, or conveyance so employed may be seized and declared forfeited as in the last subsection mentioned, and sold, and the proceeds thereof paid to Her Majesty for the purposes hereinbefore mentioned."

"4. It shall be lawful for any constable, without process of law, to arrest any Indian whom he may find in a state of intoxication, and to convey him to any common gaol, house of correction, lock-up or other place of confinement, there to be kept until he shall have become sober; and such Indian shall, when sober, be brought before any Judge, Stipendiary Magistrate, or Justice of the Peace, and if convicted of being so found in a state of intoxication, shall be liable to imprisonment in any common gaol, house of correction, lock-up or other place of confinement, for any period not exceeding one month. And if any Indian having been so convicted as aforesaid, shall refuse, upon examination, to state or give information of the person, place, and time, from whom, where and when, he procured intoxicating liquor, and if from any other Indian, then, if within his knowledge, from whom, where and when, such intoxicating liquor was originally procured or received, he shall be liable to imprisonment as aforesaid for a further period not exceeding fourteen days."

"5. The words 'intoxicating liquor' shall mean and include all spirits, strong waters, spirituous liquors, wines, or fermented or compounded liquors or intoxicating drink of any kind whatsoever, and intoxicating liquor or fluid; as also opium and any preparation thereof, whether liquid or solid; and any other intoxicating drug or substance, and tobacco or tea mixed or compounded or impregnated with opium or with other intoxicating drug or substance, and whether the same, or any of them, be liquid or solid."

"6. No prosecution, conviction or commitment under this Act shall be invalid on account of want of form so long as the same is according to the true meaning of this Act."

2. The following shall be taken and read as part of the fourteenth section of the thirty-first Victoria, chapter forty-two, that is to say:—

"Nor shall the same be sold, bartered, exchanged or given by any tribe, band or body of Indians or any Indian of any such tribe, band or body to any person or persons other than a tribe, band or body of Indians or any Indian of any tribe; and any such sale, barter, exchange or gift, shall be absolutely null or void, unless any such sale, barter, exchange or gift be made with the written assent of the Indian agent; and any person who may buy or otherwise acquire any presents or property purchased as aforesaid without the written consent of the Indian agent as aforesaid shall be guilty of a misdemeanor, and be punishable by fine not exceeding two hundred dollars, or by imprisonment not exceeding six months in any place of confinement other than a Penitentiary."

3. Upon any inquest, or upon any enquiry into any matter involving a criminal charge, or upon the trial of any crime or offence whatsoever, or by whomsoever committed, it shall be lawful for any Court, Judge, Stipendiary Magistrate, Coroner or Justice of the Peace to receive the evidence of any Indian or aboriginal native or native of mixed blood, who is destitute of the knowledge of God, and of any fixed and clear belief in religion or in a future state of rewards and punishments, without administering the usual form of oath to any such Indian, aboriginal native or native of mixed blood as aforesaid, upon his solemn affirmation or declaration to tell the truth the whole truth and nothing but the truth, or in such form as may be approved by such Court, Judge, Stipendiary Magistrate, Coroner or Justice of the Peace as most-binding in his conscience.

4. Provided that in the case of any inquest, or upon any enquiry into any matter involving a criminal charge, or upon the trial of any crime or offence whatsoever, the substance of the evidence or information of any such Indian aboriginal native or native of mixed blood as aforesaid, shall be reduced to writing, and signed by a mark of the person giving the same, and verified by the signature or mark of the person acting as interpreter (if any), and of the Judge, Stipendiary Magistrate, Coroner or Justice of the Peace or person before whom such information shall have been given.

5. The Court, Judge, Stipendiary Magistrate or Justice of the Peace shall, before taking any such evidence, information or examination, caution every such Indian, aboriginal native or native of mixed blood as aforesaid, that he will be liable to incur punishment if he do not so as aforesaid tell the truth.

6. The written declaration or examination made, taken and verified in manner aforesaid, of any such Indian, aboriginal native or native of mixed blood as aforesaid, may be lawfully read and received as evidence upon the trial of any criminal suit or proceedings when under the like circumstances the written affidavit, examination, deposition or confession of any person might be lawfully read and received as evidence.

7 Every solemn affirmation or declaration in whatever form made or taken by any person as aforesaid shall be of the same force and effect, as if such person had taken an oath in the usual form, and shall in like manner incur the penalty of perjury in case of falsehood,

8. An Indian is hereby defined to be a person within the definition contained in the fifteenth section of the thirty-first Victoria, chapter forty-two, as amended by the sixth section of the thirty-second and thirty-third Victoria, chapter six, and who shall participate in the annuities and interest moneys and rents of any tribe, band or body of Indians.

9. Upon, from and after the passing of this Act, the Acts and portions of Acts hereinafter mentioned of the Parliament of Canada shall be and are hereby extended to and shall be in force in the Provinces of Manitoba and British Columbia; and all enactments and laws heretofore in force in the said Province, inconsistent with the said Acts, or making any provision in any matter provided for by the said Acts, other than such as is made by the said Acts, shall be repealed on and after the passing of the same.



10. The Acts and portions of Acts hereinbefore mentioned and hereby extended to and to be in force in the Provinces of Manitoba and British Columbia, are as follows:—

1. Sections six to twenty-five both inclusive, sections twenty-eight, twenty-nine, thirty, thirty-seven, thirty-eight, thirty-nine and forty-two, of the Act passed in the thirty-first year of Her Majesty's reign, and intituled: "An Act providing for the organization of the Department of the Secretary of State of Canada, and for the management of Indian and Ordnance Lands."

2. Sections one to twenty-one, both inclusive, and section twenty-four of the Act passed in the thirty-second and thirty-third years of Her Majesty's reign, intituled: "An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act thirty-first Victoria, chapter forty-two."

3. Sections one, three, six, seven, eight, nine and sixteen, of the Act passed in the thirty-sixth year of Her Majesty's reign, and intituled: "An Act to provide for the establishment of the Department of the Interior."

11. The Governor in Council may, by proclamation from time to time, exempt from the operation of the Act passed in the thirty-first year of Her Majesty's reign, and intituled: "An Act providing for the organization of the Department of the Secretary of State of Canada, and for the management of Indian and Ordnance Lands," or from an Act passed in the thirty-second and thirty-third years of Her Majesty's reign, intituled "An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act thirty-first Victoria, chapter forty-two," or from the operation of the Act passed in the thirty-first year of Her Majesty's reign, and intituled: "An Act to provide for the establishment of the Department of the Interior," or from the operation of this Act, or from the operation of any one or more of the clauses of any one or more of the said Acts, the Indians or any of them, or any tribe of them or the Indian lands or any portions of them in the Province of Manitoba, or in the Province of British Columbia, or in either of them, and may again, by proclamation from time to time, remove such exemption.

12. The Governor in Council may, by proclamation from time to time direct the application of the Act passed in the thirty-first year of Her Majesty's reign, and intituled "An Act providing for the organization of the Department of the Secretary of State of Canada, and for the management of Indian and Ordnance Lands;" and an Act passed in the thirty-second and thirty-third years of Her Majesty's reign, intituled: "An Act for the gradual enfranchisement of Indians; the better management of Indian affairs, and to extend the provisions of the Act thirty-first Victoria chapter forty-two;" and an Act passed in the thirty-sixth year of Her Majesty's reign, and intituled: "An Act to provide for the establishment of the Department of the Interior;" or any one or more of the clauses of any one or more of the said Acts to the Indians or any of them or any tribe of them or the Indian lands or any portions of them, or to be in force generally in the North West Territories.

13. The second, third and seventh sections of the Ordinance, No. 85, of the Revised Statutes of British Columbia are hereby repealed.

14. This Act shall be construed as one Act with the Acts thirty-first Victoria, chapter forty-two, and thirty-third Victoria, chapter six.

PROVINCIAL SECRETARY'S OFFICE,  
10th October, 1874.

**A** PROCLAMATION of the Governor-General of Canada, exempting the Indians of British Columbia from the operation of the 8th Section of "An Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians to the Provinces of Manitoba and British Columbia," is published in this day's GAZETTE, in connection with the said Act, for general information.

JOHN ASH,  
Provincial Secretary.

[L. S.]

DUFFERIN.

CANADA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come, or whom the same may in anywise concern,—GREETING:

#### A PROCLAMATION.

T. FOURNIER, } **W**HEREAS by an Act passed Attorney-General, } by the Parliament of Canada, in the Thirty-seventh year of Our Reign, intituled "An Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians to the Provinces of Manitoba and British Columbia," it is in effect enacted that the Governor in Council may, by Proclamation, exempt from the operation of the several Acts therein mentioned or of the Act now in part recited, or from the operation of any one or more of the clauses of any one or more of the said Acts, the Indians or any of them, or any tribe of them, or the Indian Lands or any portions of them in the Province of British Columbia.

And whereas we deem it advisable that the Indians and every of them and the several tribes of them in the Province of British Columbia should be exempt from the operation of the eighth clause of the Act now in recital,—

Now KNOW YE that, by and with the advice of Our Privy Council for Canada, we do, by virtue of the authority vested in us as hereinbefore recited,—Proclaim, order, and declare that the Indians and every of them and the several tribes of them in the Province of British Columbia are, by this Our Royal Proclamation, exempted from the operation of the eighth section of the Act of the Parliament of Canada passed in the Thirty-seventh year of Our Reign, intituled "An Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians to the Provinces of Manitoba and British Columbia." And we do hereby exempt the Indians and every of them and the several tribes of them in the Province of British Columbia from the operation of the said eighth section of the said Act accordingly.

Of all which Our loving subjects and all others to whom these presents may come, or whom the same may in anywise concern, are hereby required to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. WITNESS, Our Right Trusty and Well Beloved Cousin and Councillor the Right Honorable Sir FREDERIC TEMPLE, Earl of DUFFERIN, Viscount and Baron Clandeboye of Clandeboye, in the County Down, in the Peerage of the United Kingdom, Baron Dufferin and Clandeboye of Ballyleidy and Killeleagh, in the County Down, in the Peerage of Ireland, and a Baronet, Knight of Our Most Illustrious Order of Saint Patrick, and Knight Commander of Our Most Honorable Order of the Bath, Governor-General of Canada, and Vice-Admiral of the same.

At Our Government House in Our City of Ottawa, this Twenty-sixth day of August, in the Year of Our Lord one thousand eight hundred and seventy-four, and in the Thirty-eighth year of Our Reign.

By Command.

R. W. SCOTT,

Secretary of State.

#### NOTICE.

**O**N and after the 1st day of January, 1875, the Law of Canada, respecting Cruelty to Animals, will come into operation in this Province, and the same is hereby published for general information.

JOHN ASH,

Provincial Secretary.

Provincial Secretary's Office,  
October 10th, 1874.

32 & 33 Vic., Cap. 27.

An Act respecting Cruelty to Animals.

**W**HEREAS it is expedient that provision should be made, extending to all Canada, for the punish-



ment of Cruelty to Animals: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Whosoever, wantonly, cruelly, or unnecessarily, beats, binds, illtreats, abuses or tortures any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Pig, or other Cattle, or any Poultry, or any Dog, or Domestic Animal or Bird, or whosoever driving any cattle or other animal, is, by negligence or ill-usage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or other animal, shall upon being convicted of any or either of the said offences before any one Justice of the Peace for the District, County or place in which the offence has been committed, for every such offence forfeit and pay (over and above the amount of the damage or injury, if any, done thereby, which damage or injury shall and may be ascertained and awarded by such Justice,) such a sum of money not exceeding ten dollars, nor less than one dollar with costs, as to such Justice seems meet.

2. The offender shall in default of payment be committed to the common gaol or other place of confinement, for the district, county, or place in which the offence was committed, there to be imprisoned for any time not exceeding thirty days.

3. Nothing in this Act contained shall prevent or abridge any remedy by action against the offender or his employer where the amount of the damage is not sought to be recovered by virtue of this Act.

4. When any offence against this Act is committed, any constable or other police officer, or the owner of any such cattle, animal, or poultry, upon view thereof, or upon the information of any other person (who shall declare his or their name or names and place or places of abode to the said constable or other peace officer) may seize and secure by the authority of this Act, and forthwith, and without any other authority or warrant, may convey any such offender before a Justice of the Peace within whose jurisdiction the offence has been committed, to be dealt with according to law.

5. If any person apprehended for having committed any offence against this Act refuses to discover his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall by him be conveyed to the common gaol or place of confinement for the district, county, or place within which the offence has been committed, or in which the offender has been apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the said Justice.

6. The prosecution of every offence punishable under this Act must be commenced within three months next after the commission of the offence, and not otherwise.

7. Every offence against any of the sections of this Act is a misdemeanor, and may be punished as such or may be prosecuted in the manner directed by the Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders, so far as no provision is hereby made for any matter or thing which may be required to be done with respect to such prosecution; and all the provisions contained in the said Act shall be applicable to such prosecutions, in the same manner as if they were incorporated in this Act.

8. All pecuniary penalties recovered before any Justice of the Peace under this Act, shall be divided, paid and distributed in the following manner, that is to say: one moiety thereof to the Corporation of the city, town, village, township, parish or place in which the offence was committed, and the other moiety, with full costs, to the person who informed and prosecuted for the same, or to such other person as to such Justice seems proper.

9. Every sum of money ascertained, and awarded, adjudged, by any Justice of the Peace under this Act to be paid as the amount of any damage or injury occasioned by the commission of any of the offences hereinbefore mentioned, shall be paid to the person who has sustained such damage or injury.

10. Where the word "cattle" is used in this Act it shall have the meaning assigned to it in the Act respecting larceny and other similar offences.

11. This Act shall commence and take effect upon, from and after the first day of January, one thousand eight hundred and seventy.

PROVINCIAL SECRETARY'S OFFICE,  
26th September, 1874.

THE Lieutenant-Governor directs the publication of the following Circular and Enclosure from the Secretary of State for the Colonies to His Excellency the Governor-General of Canada, which have been transmitted to His Excellency for publication in this Province.

By Command.

JOHN ASH,  
Provincial Secretary.

CIRCULAR.

DOWNING STREET,  
11th July, 1874.

SIR,—I have the honor to transmit a copy of an Act, 37 and 38 Victoria, cap. 27, which has passed this Session, intitled "An Act to regulate the sentences imposed by Colonial Courts where jurisdiction to try is conferred by Imperial Acts."

2. As your are aware jurisdiction is given by certain Imperial Acts, as, for instance, 9 George 4, cap. 83, section 4, and 12 and 13 Victoria, cap. 96, to Colonial Courts to try offences committed beyond the jurisdiction of those Courts, and the persons convicted are made liable to suffer such punishment as by any law or laws in force at the time of the passing of such Acts, they would have been liable to if the offence had been committed and tried in England.

3. Difficulties have recently arisen, both in Victoria and Malta, in deciding what sentences could be passed upon persons tried and convicted in the Colonial Courts for offences committed out of the Colonies, but made triable within them by Imperial Act; and the Act now transmitted has been passed with a view to prevent any such questions arising for the future.

4. The Act provides that such punishment may be inflicted in such cases as might have been inflicted if the offences had been committed within the Colony.

5. The Act also includes cases, if any, where offences, if committed within the local jurisdiction of a Colonial Court, are by Imperial Act made punishable according to the Law of England.

6. Moreover, special provision is made at the end of the third section to meet the case of an offence not punishable by the Law of the Colony in which the trial takes place; and the Colonial Court is in such case empowered to impose such punishment (other than capital punishment) as shall seem to the Court most nearly to correspond to the punishment to which such person would have been liable in case such crime or offence had been tried in England.

7. These cases will, probably, be of rare occurrence; but it was thought desirable to embrace all possible cases, and to make the legislation upon the subject final and complete.

8. The usual steps should be taken to make the provisions of this Act known in the Colony under your Government.

I have, etc.,  
(Signed) CARNARVON.

The Officer Administering  
the Government of Canada.

## CHAPTER 27.

An Act to regulate the Sentences imposed by Colonial Courts where jurisdiction to try is conferred by Imperial Acts.

[30th June, 1874.]

WHEREAS by certain Acts of Parliament jurisdiction is conferred on courts in Her Majesty's Colonies to try persons charged with certain crimes or offences, and doubts have arisen as to the proper sentences to be imposed upon conviction of such persons; and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

### Short Title.

1. This Act may be cited for all purposes as The Courts (Colonial) Jurisdiction Act, 1874.

### Definition of term "Colony."

2. For the purposes of this Act,—  
The term "Colony" shall not include any places



within the United Kingdom, the Isle of Man, or the Channel Islands, but shall include such territories as may for the time being be vested in Her Majesty by virtue of an Act of Parliament for the Government of India, and any plantation, territory, or settlement situate elsewhere within Her Majesty's dominions, and subject to the same local government; and for the purposes of this Act, all plantations, territories, and settlements under a central legislature shall be deemed to be one Colony under the same local government.

*At trials in any colonial courts by virtue of Imperial Acts, courts empowered to pass sentences as if crimes had been committed in the Colony.*

3. When, by virtue of any Act of Parliament now or hereafter to be passed, a person is tried in a Court of any Colony for any crime or offence committed upon the high seas or elsewhere out of the territorial limits of such Colony and of the local jurisdiction of such Court, or if committed within such local jurisdiction made punishable by that Act, such person shall, upon conviction, be liable to such punishment as might have been inflicted upon him if the crime or offence had been committed within the limits of such Colony and of the local jurisdiction of the Court, and to no other, anything in any Act to the contrary notwithstanding: Provided always, that if the crime or offence is a crime or offence not punishable by the law of the Colony in which the trial takes place, the person shall, on conviction, be liable to such punishment (other than capital punishment) as shall seem to the Court most nearly to correspond to the punishment to which such person would have been liable in case such crime or offence had been tried in England.

[L. S.] JOSEPH W. TRUTCH.  
CANADA.

#### PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come,—GREETING.

#### A PROCLAMATION.

GEO. A. WALKER, **W**HEREAS it is provided by *Attorney-General*. Section 86 of the "Land Act, 1874," that the said Act shall not come into force until the Lieutenant-Governor's assent thereto, has been proclaimed by Notice in the British Columbia Gazette;

And whereas Our Lieutenant-Governor has been pleased to assent, in Our name, to the said Act.

NOW KNOW YE that in pursuance of the said proviso, We do hereby proclaim and give notice of Our Assent to the "Land Act, 1874."

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Public Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Sixteenth day of July, in the year of Our Lord One thousand eight hundred and seventy-four, and in the thirty-eighth year of Our Reign.

By Command.

JOHN ASH,  
*Provincial Secretary.*

### Government Notices.

#### NOTICE.

A COURT of General Assize and Gaol Delivery and of Nisi Prius, will be held at Yale, on Friday the 16th day of October next, at 11 o'clock in the forenoon, and at New Westminster, on Friday, the 23rd day of October, at the same hour.

Dated, 12th of September, 1874.

By Command.

JOHN ASH,  
*Provincial Secretary.*

### PUBLIC NOTICE.

NOTICE is hereby given, that the following are the Boundaries of the Land Recording Districts in the Province of British Columbia:—

#### Victoria District.

The Land Recording District of Victoria shall comprise those tracts of land other than and except land included within the Municipal Boundaries of the City of Victoria, and being within the Districts of Victoria, Lake, North Saanich, South Saanich, Metchosin, Esquimalt, Sooke, and Highland, as defined on the Official Maps of those Districts now deposited in the Land Office, Victoria, and which maps are designated respectively, "Victoria District Official Map, 1858," "Lake District" and "North Saanich, 1859," "South Saanich Official Map, 1859," "Metchosin District Official Map, 1858," "Esquimalt District Official Map, 1858," "Sooke District Official Map, 1858," and "Highland District Official Map, 1862," together with all lands not included within the boundaries of any other Land Recording District in the Province.

#### Cowichan District.

The Land Recording District of Cowichan shall commence at Sawmill Bay, on the East Coast of Vancouver Island, at the South-East corner of Section I, Range 9, Shawnigan District; thence running true West 15 miles and 16 chains; thence true North 18 $\frac{1}{2}$  miles, more or less, to the boundary line of Nanaimo District as defined by the "Act to amend the Schedule of the Constitution Act, 1871," thence following said District boundary line as above defined 7 $\frac{1}{2}$  miles, more or less, Eastward to the Coast at Stuart Channel; thence running in a North-Easterly direction to Reef Point on Thetis Island; thence to Pilley Point, Thetis Island; thence to Tongue Point on Galiano Island; thence to a point on the 49th Parallel of North Latitude in the middle of the channel which separates the Continent from Vancouver Island; thence following the International Boundary Line, to a point midway between Turu Point on Stuart Island, and Fairfax Point on Moresby Island; thence in a Westerly direction to the most Northerly point of Piers Island; thence Westerly to Hatch Point, Shawnigan District; thence Southerly, following the Coast line to the point of commencement; and shall include those tracts of land comprised within Cowichan, Quamichan, Somenos, Comiaken, Shawnigan, and Chemanis, as defined on the Official Maps of those Districts now deposited in the Land Office, Victoria, and which maps are designated respectively—"Cowichan District," "Quamichan District," "Somenos District," "Comiaken District," "Shawnigan District," and "Chemanis District," on the Official Plans, together with the Islands of "Galiano," "Thetis," "Kuper," "Reid," "Hall," "Secretary," "Narrow," "Parker," "Prevost," "Gossip," "Mayne," "Samuel," "Saturna," "Pender," "Moresby," "Portland," "Tumbo," and shall include all other Islands not enumerated within the said boundaries, except "Salt Spring Island."

#### Salt Spring Island District.

The Land Recording District of Salt Spring shall comprise all the land on Salt Spring Island.

#### Nanaimo District.

The Land Recording District of Nanaimo shall join the Cowichan District to the North, commencing at the point at which the Nanaimo Electoral District boundary line strikes Stuart Channel; thence Westwardly about 7 $\frac{1}{2}$  miles to the North-West boundary of Cowichan District; thence in a North-Westerly direction to the summit of Mount Moriarty; thence in a direct line to the summit of Mount Mark; thence in a direct line to the summit of Mount Beecher; thence in a direct line to Rugged Peak; thence Eastwardly to Kukushan Point on the East Coast of Vancouver Island; thence Southerly following the Coast Line down to Cape Lazo; thence in a South-Easterly direction to the centre of Sabine Channel; thence following the centre of said channel to a point opposite Point Upwood, on Texada Island; thence following the centre of the channel, in the Straits of Georgia, to the North-Easterly boundary of Cowichan District; thence following the Northern boundary of Cowichan District to the point of commencement, and shall comprise those tracts of land included



within Nanaimo, Mountain, Cedar, and Cranberry Districts, as defined on the Official Maps of those Districts now deposited in the Land Office, Victoria, and which maps are designated respectively "Nanaimo District Official Map, 1859," "Mountain District Official Map, 1859," "Cedar District Official Map, 1859," "Cranberry District Official Map, 1859," and the Districts of "Wellington and Nanoose," together with the Islands of "Valdes," "DeCourcy," "Mudge," "Gabriola," "Flat Top," "Protection," "Newcastle," "Maude," "Winchelsea," "Ballinae," "Lasqueti," "Jedidiah," "Jervis," "Jenkins," "Sangster," "Hornby," and "Denman," and all smaller Islands included within the said boundaries.

#### New Westminster District.

*The Land Recording District of New Westminster* shall be bounded on the South by the Southern Boundary of the Province (the 49th Parallel of North Latitude) to a point about 65 miles East from the shore of the Gulf of Georgia, said point being the South-Eastern corner of New Westminster District, and the South-Western corner of the Yale District; on the East by a line (being also the Western boundary of the Yale District) running North from the said South-Eastern corner, crossing Fraser River about 8 miles above the mouth of Harrison River, to a distance of about 45 miles, and thence North-West by North about 50 miles, at an average distance of about 10 miles East from the general course of the Douglas Portage, to the North-Eastern corner of said District, which is also the North-Western corner of Yale District; on the North by a line (being also the Southern boundary, in part, of the Lillooet District), thence running West from said last named corner, crossing Lillooet Lake at a point about equidistant from either end, and touching the extreme Northern point of Jervis Inlet (which is the South-Western corner of Lillooet District), thence to Forbes Bay on the shore of Desolation Sound; and on the West, by a line running through the middle of Homfray Channel to Sarah Point; and thence in a straight line Southerly, to the most Westerly point of Savary Island; thence to mid-channel of Gulf of Georgia; thence to the centre of Sabine Channel, to the boundary of Nanaimo Land Recording District, following through the centre of said channel to a point opposite Point Upwood, Texada Island; thence following the mid-channel of the Strait of Georgia, to the North-Eastern corner of Cowichan District; thence West on the 49th Parallel, to point of commencement, and shall include the following Islands: "Roffy," "Mary," "Melville," "Morgan," "Otter," "Mink," "Rugged," "Savary," "Harwood," "Texada," "Hardy," "Nelson," "Captain," "Pearson," "Thormandy," "Trail," "White," "Anvil," "Defence," "Woolridge," "Gambier," "Keats," "Bowen," "Pasley," "Popham," "Woolcombe," and "Passage," and all other small Islands not enumerated within said boundaries.

#### District of Yale.—(Yale Division.)

*The Yale Land Recording Division* shall be bounded on the West by a line commencing on the 49th Parallel of North Latitude, 65 miles East from the Gulf of Georgia, being also the South-Eastern corner of New Westminster Land Recording District; thence North about 45 miles; thence North-West about 50 miles, to a point being the North-Easterly corner of New Westminster District; thence East about 37 miles, to a point near the junction of the Thompson and Nicola Rivers; thence in a South-Easterly direction, running parallel to the general course of the Nicola River, and distant about 7 miles therefrom, for a distance of about 35 miles to Gold-water River; thence in a Southerly direction along the trail, to a point 2 miles West of Princeton; thence due South to the 49th Parallel, about 36 miles; thence along the said Parallel, to the point of commencement.

#### District of Yale. (Kamloops Division.)

*The Kamloops Land Recording Division* shall be bounded on the South by a line commencing at a point 2 miles West of Princeton, running due East to the South point of Okanagan Lake; thence on the East by a line running Northward, and following the Eastern shore of Okanagan Lake to its head; thence due North to Round Lake; thence on the South by a line running due East, to the Eastern boundary of Yale Electoral District, being also the Western

boundary of Kootenay District; thence following the Western boundary of Kootenay District, to the North-East corner of Yale Electoral District; thence on the North by the Southern boundary, in part of Lillooet District, running West from the said last named corner, and passing about 3 miles North of Seymour, to a distance of about 20 miles; thence in a direct line about 65 miles, to a point on the North Thompson River (Meridian Bend) about 15 miles North of Kamloops; thence in a direct line about 50 miles, to the 114th mile post on the waggon road from Yale to Clinton; thence in a direct line 60 miles, to the South-West corner of the said Yale Electoral District, being also the North-East corner of New Westminster District; thence following the Northern and Eastern boundaries of the Yale Land Recording Division, to the point of commencement.

#### District of Yale. (Osooyoos Division.)

*The Osooyoos Land Recording District* shall be bounded on the South by the 49th Parallel, commencing at a point (being also the South-East corner of the Yale Land Recording Division); thence running West, to the Western boundary of Kootenay District; thence running Northward along the said Western boundary, to the South-East corner of the Kamloops Land Recording Division; thence following the Southern and Eastern boundaries of said Land Recording Division, to the South-Western corner of the said Kamloops Land Recording Division; thence due South along the boundary of the Yale Land Recording Division, to point of commencement.

#### Lillooet District.

*The Land Recording District of Lillooet* shall be bounded on the East by a line (being also the Western boundary, in part, of Kootenay District) commencing from the North-Eastern corner of Yale Electoral District; thence following a course parallel to the general course of the Columbia River, and about 10 miles distant therefrom, 50 miles, to a point on the 52nd Parallel of North Latitude, which is the North-Eastern corner of said Lillooet District, and the South-Eastern corner of Cariboo District; on the North by the said 52nd Parallel (being also the Southern boundary of Cariboo District), crossing the Cariboo Road at the 138th mile post, for a distance of about 220 miles, to a point on the 124th Meridian, which is the North-Western corner of said Lillooet District, and the South-Western corner of Cariboo District; on the West by the said 124th Meridian, a distance of about 125 miles, to the point where the said Meridian intersects the Northern boundary of New Westminster District, at the Northern extremity of Jervis Inlet; on the South by the Northern boundary of New Westminster District, to the North-Eastern corner of said District (which is also the North-Western corner of Yale Electoral District), and thence by the Northern boundary, before described, of said Yale Electoral District, to the South-Eastern corner of said Lillooet District, which is also the North-Eastern corner of Yale Electoral District.

#### District of Kootenay.

*The Land Recording District of Kootenay* shall be bounded on the West by the before described Eastern boundaries of Yale Electoral and Lillooet Districts up to the North-Eastern corner of Lillooet District, which is also the South-Eastern corner of Cariboo District, and thence by a line (being also the South-Eastern boundary of Cariboo District) following the general course of the Columbia River, and distant from it about 10 miles, for a further distance of about 50 miles, to a point on the 118th Meridian, about 15 miles North-East of the Boat Encampment, and thence by the 118th Meridian (being also the Eastern boundary, in part, of Cariboo District) to the summit of the Rocky Mountains, the Eastern boundary of the Province; on the East by the said Eastern boundary of the Province; and on the South by the 49th Parallel, the Southern boundary of the Province.

#### District of Cariboo.

*The Land Recording District of Cariboo* shall be bounded on the West by the 124th Meridian, which is also the Eastern boundary of the Coast District; on the South by the 52nd Parallel, which is also the Northern boundary of Lillooet District; on the South-East by the before described boundary, in part, of



Kootenay District; on the East by the 118th Meridian of West Longitude (being also the Western boundary, in part, of Kootenay District) to the summit of the Rocky Mountains, and thence Northward by the summit of the Rocky Mountains, and by the 120th Meridian of West Longitude, the Eastern boundary of the Province; and on the North by the 60th Parallel of North Latitude, the Northern boundary of the Province.

#### District of Omineca.

The Land Recording District of Omineca shall be bounded on the South by the 54th Parallel of North Latitude; on the East by the 124th Meridian of West Longitude; on the North by the 56th Parallel; and on the West by the 127th Meridian of West Longitude.

#### District of Cassiar.

The Cassiar Land Recording District shall be bounded on the South by the 56th Parallel of North Latitude; on the East by the 124th Meridian of West Longitude; on the North by the 60th Parallel; and on the West by Alaska, a Territory of the United States of America.

ROBERT BEAVEN,

Chief Commissioner of Lands & Works  
Lands & Works Office,  
Victoria, July 18th, 1874.

### NOTICE.

#### TOWNSHIPS No. 1 AND 2, NEW WESTMINSTER DISTRICT.

NOTICE IS HEREBY GIVEN, in accordance with the provisions of the "Land Act, 1874," that the land included within the boundaries of Townships No. 1 and 2, New Westminster District, have been subdivided by survey, and the maps thereof have been deposited in the office of Henry V. Edmonds, Commissioner, New Westminster.

ROBERT BEAVEN,

Chief Commissioner of Lands & Works.  
Lands & Works Department,  
Victoria, 3rd October, 1874.

#### EXTRACT FROM "LAND ACT, 1874."

21. Where an official survey shall be made, in which shall be included the land the right to which has been acquired previous to the passing of this Act, but for which a Crown Grant has not been issued, and a map of such survey shall have been deposited in the office of the Commissioner, and notice thereof shall have been published in the British Columbia Gazette, the lawful claimant of such land shall, within three months thereafter, make and file with the Commissioner a written and dated statement, describing the land claimed and the locality of his improvements thereon, based upon the survey made, and fully describing the legal subdivision claimed, and shall also make and file with the Commissioner a declaration, in such form as may be required by the Commissioner, signed by himself and two residents in the locality of such land, or two persons acquainted with the facts; and unless two or more parties are claimants of the same land, the Commissioner shall, at the expiration of such three months, enter such land so rectified by such survey in the name of such claimant in the District Register.

22. If, within three months after the making of such survey and a deposit of the map of such survey in the office of the Commissioner, and a notice thereof published in the British Columbia Gazette; the claimant mentioned in the preceding clause shall fail to make and furnish the written and dated statement and declaration required as aforesaid; or if such declaration shall be fraudulently obtained, or if it shall contain wilfully false statements, the land so entered, with all improvements thereon, shall be forfeited to the Crown, and such settler shall have no further right therein or thereto; and the Chief Commissioner of Lands and Works may cancel the record of such land in the books of the Land Office, and the certificate given on the making of such record shall thenceforth be deemed null and void to all intents and purposes whatsoever.

### COMOX DISTRICT.

SEALED TENDERS, endorsed, "Tender for Approach Comox Wharf," will be received by the undersigned up to 12 o'clock noon of Saturday, 17th of October next, for the construction of an approach to the Comox Wharf.

Plans and specifications can be seen, and blank forms of tender and agreement to execute bond, can be obtained at the office of G. F. Drabble, Esq., Comox, and at the office of the Lands and Works Department, Victoria.

Each Tender must be accompanied by an agreement to execute a bond, duly signed by the Contractor himself and two other responsible residents of the Province, in a penal sum amounting to one-half the contract price, for the faithful completion of the work.

No tender will be accepted unless accompanied with an agreement to execute a bond as above.

The lowest or any Tender not necessarily accepted.

ROBERT BEAVEN,

Chief Commissioner of Lands & Works.  
Lands & Works Department,  
Victoria, September 28th, 1874.

### COMOX DISTRICT.

SEALED TENDERS, endorsed "Tender for Approach Courtenay River Bridge," will be received by the undersigned, up to 12 o'clock, noon, of Saturday October 17th next, for the construction of an additional approach to the Courtenay River Bridge, Comox.

Plans and Specifications can be seen and blank forms of tender and agreement to execute bond can be obtained at the Office of G. F. Drabble, Esq., Comox, and at the Office of the Lands and Works Department, Victoria.

Each Tender must be accompanied by an agreement to execute a bond duly signed by the contractor himself and two other responsible residents of the Province, in a penal sum amounting to one-third the contract price, for the faithful completion of the work.

No Tender will be accepted unless accompanied with an agreement to execute a bond as above.

The lowest or any tender not necessarily accepted.

ROBERT BEAVEN,

Chief Commissioner of Lands and Works.  
Lands and Works Office,  
Victoria, 28th, September, 1874.

### Miscellaneous Notices.

#### NOTICE

##### Private Bills.

ALL applications for Private Bills, properly the subject of legislation by the Legislative Assembly of British Columbia, within the purview of the "British North America Act, 1867," whether for the erection of a Bridge, the making of a Railroad, Turnpike Road, or Telegraph Line; the construction or improvement of a Harbour, Canal, Lock, Dam, or Slide, or other like work; the granting of a right of Ferry; the incorporation of any particular trade or calling, or of any Joint Stock Co.; or otherwise for granting to any individual or individuals any exclusive or peculiar rights or privileges whatever, or for doing any matter or thing which in its operation would affect the rights or property of other parties, or relate to any particular class of the community; or for making any amendment of a like nature to any former Act,—shall require a Notice, clearly and distinctly specifying the nature and object of the application, to be published as follows:—

A notice inserted in the BRITISH COLUMBIA GAZETTE, and in one newspaper published in the District affected, or if there be no newspaper published therein, then in a newspaper in the next nearest District in which a newspaper is published.

Such notice shall be continued in each case for a period of at least six weeks, during the interval of time between the close of the next preceding Session and the consideration of the Petition.

Before any Petition, praying for leave to bring in a Private Bill for the erection of a Toll Bridge is presented to the House, the person or persons intend-



ing to petition for such Bill shall, upon giving the notice prescribed by the preceding rule, also at the same time and in the same manner, give notice of the rates which they intend to ask, the extent of the privilege, the height of the arches, the interval between the abutments or piers for the passage of rafts and vessels and mentioning also whether they intend to erect drawbridge or not, and the dimensions of the same.

J. ROLAND HETT,  
*Clerk of the Legislative Assembly.*

5th March, 1874.

## IN THE LEGISLATIVE ASSEMBLY.

SESSION, 1874-5.

### BRITISH COLUMBIA PROTESTANT ORPHANS' HOME.

NOTICE IS HEREBY GIVEN, that application will be made at the next Session of the Legislative Assembly, for an Act to Incorporate the British Columbia Protestant Orphans' Home Association; an Association having for its object the care, maintenance, and education of Orphans and destitute children in British Columbia.

Dated at Victoria, the 6th day of July, 1874.

## NOTICE

*In the matter of the Estate and Effects of JAMES C. HOAGLAND, deceased, intestate.*

ALL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 8th day of November, 1874, to

CHAS. E. POOLEY,  
*Official Administrator.*

Dated, Victoria, 8th day of August, 1874.

## NOTICE.

*In the matter of the Estate and Effects of ALLEN D. GRANT, deceased, intestate.*

ALL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 9th day of January, 1875, to

CHAS. E. POOLEY,  
*Official Administrator.*

Dated, Victoria, 9th October, 1874.

## NOTICE.

*In the matter of the Estate and Effects of JOHN S. TROOK, deceased, intestate.*

ALL persons who are indebted to the above Estate are required to pay the amounts due forthwith; and all persons who have any claims against the said Estate are required to send in their accounts, duly proved, on or before the 9th day of January, 1875, to

CHAS. E. POOLEY,  
*Official Administrator.*

Dated, Victoria, 9th October, 1874.

## BANKRUPTCY NOTICE.

WHEREAS the Court authorized to act in the prosecution of a Petition for adjudication of Bankruptcy, filed on the 7th day of August, A. D. 1874, against WILLIAM FORREST, of the Meadows, Williams Creek, Trader, has, on application of the said Bankrupt, appointed a public sitting under such Petition, to be held before the Supreme Court of British Columbia, sitting in Bankruptcy, at the next General Assize, to be holden at the Court House, Richfield, for the allowance of the Certificate of the said Bankrupt's conformity to the Laws now in force concerning Bankrupts, according to the form, and subject to the provisions of the Statute passed in the Parliament holden in the 12th and 13th years of the Reign of Her present Majesty, intituled the "Bankrupt Law Consolidation Act, 1849." This is to give notice, that such Court will sit at the time and place above mentioned, for the purpose aforesaid, when and where any of the Creditors of the said Bankrupt who shall have given due notice of their intention to oppose, may be heard against the allowance of such Certificate; and the same will be allowed, unless cause be then and there shown to the contrary, or such order will be made therein as the justice of the case may require.

ALEX. E. B. DAVIE,

*Counsel acting in the matter of the Bankruptcy.*  
Richfield, 15th August, 1874.

## BANKRUPTCY NOTICE.

*Re WILLIAM FORREST, a Bankrupt.*

TO all whom it may concern:—TAKE NOTICE that the public sitting in the matter of the above Bankruptcy, advertised to be held before the Supreme Court at the next General Assize at Richfield, for the allowance of the Certificate of the Bankrupt, will not be held at Richfield, but will be held before the Supreme Court at the next General Assize at YALE, on the 16th day of October, A. D. 1874, in accordance with the order of the Judge of the County Court of British Columbia, holden at Richfield.

Dated, the 17th day of September, A. D. 1874.

ALEX. E. B. DAVIE,  
*Counsel in the matter of this Bankrupt.*

## NOTICE.

IN accordance with the "Mineral Ordinance, 1869," and the "Mineral Ordinance Amendment Act, 1873," the Victoria Silver Mining Company (Limited) will apply for a Crown Grant of the amount of Land they are entitled to by ownership of Prospecting License No. (6) Six, issued in Yale District.

R. P. RITHET, *Secretary.*

Yale, July 14th, 1874.

## Gold Commissioner's Notice.

ALL Mining Claims legally held in Cassiar District, British Columbia, will be laid over from the 1st October, 1874, till the 1st June, 1875, subject however to clause 9 of the "Gold Mining Amendment Act, 1872."

J. H. SULLIVAN,  
*Gold Commissioner.*

Lake Town, Cassiar, 29th August, 1874.

Printed every Saturday, by RICHARD WOLFENDEN, Government Printer, at the Government Printing Office, James' Bay, Victoria.